

Senate Study Bill 3049 - Introduced

SENATE/HOUSE FILE _____
BY (PROPOSED JUDICIAL BRANCH
BILL)

A BILL FOR

1 An Act relating to electronic recordings of court proceedings
2 within a magistrate's jurisdiction.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 602.1209, Code 2016, is amended by adding
2 the following new subsection:

3 NEW SUBSECTION. 16A. Prescribe practices and procedures
4 for the maintenance of electronic recordings and production of
5 transcripts from electronic recordings referred to in section
6 602.6405, subsection 4.

7 Sec. 2. Section 602.6405, Code 2016, is amended by adding
8 the following new subsection:

9 NEW SUBSECTION. 4. Proceedings within a magistrate's
10 jurisdiction shall be electronically recorded, unless a party
11 provides a certified court reporter at the party's expense.
12 The electronic recordings shall be securely maintained
13 consistent with the practices and procedures prescribed
14 by the state court administrator and shall be retained for
15 one year after entry of a final judgment in the trial court
16 or until thirty days after final disposition, whichever is
17 later. Transcripts from electronic recordings required for
18 appeals shall be produced and paid for in a manner consistent
19 with practices and procedures prescribed by the state court
20 administrator.

21 EXPLANATION

22 The inclusion of this explanation does not constitute agreement with
23 the explanation's substance by the members of the general assembly.

24 This bill requires that proceedings before a magistrate be
25 electronically recorded unless a party provides a certified
26 court reporter at such party's expense. The electronic
27 recordings are to be securely maintained consistent with
28 the practices and procedures prescribed by the state court
29 administrator and are to be retained for one year after entry
30 of a final judgment in the trial court or until 30 days after
31 final disposition, whichever is later. Transcripts from
32 electronic recordings required for appeals are to be produced
33 and paid for consistent with the practices and procedures
34 prescribed by the state court administrator.